

Indiana Civil Rights Commission  
**AGENCY MONTHLY REPORT**  
DECEMBER 2011



Jamal L. Smith  
Executive Director

# Intake

The Intake section of the report shows the number of phone, web and/or mail inquiries received from the public. It also shows the number of jurisdictional complaints drafted and mailed. The number of signed complaints received for investigation is also reported.

	Jan 2011	Feb 2011	Mar 2011	Apr 2011	May 2011	June 2011	July 2011	Aug 2011	Sept 2011	Oct 2011	Nov 2011	Dec 2011	Year to Date
Total Number of Inquiries	178	172	244	244	289	314	412	425	300	338	309	317	<b>3542</b>
Number of Complaints Drafted	18	26	54	41	70	73	80	83	51	85	64	61	<b>706</b>
% of inquiries drafted	10%	15%	22%	17%	24%	23%	19%	20%	17%	25%	21%	19%	<b>19%</b>
Employment	12	16	37	33	44	50	48	54	35	45	44	49	<b>466</b>
Real Estate	2	2	7	2	10	15	7	9	5	10	3	3	<b>75</b>
Public Accommodation	0	1	4	0	7	6	5	2	5	6	2	6	<b>44</b>
Credit	0	0	0	0	0	0	0	0	0	0	0	0	<b>0</b>
Education	1	1	0	1	2	2	2	1	0	0	1	3	<b>14</b>
Unknown	3	6	6	5	7	0	18	17	0	24	14	0	<b>100</b>
Number of Complaints Formalized	49	43	59	34	82	73	103	118	78	67	95	69	<b>870</b>
Employment	33	31	38	29	51	50	85	86	51	50	67	49	<b>620</b>
Transferred from EEOC*						1	34	16	9	2	5	1	<b>63</b>
Real Estate	11	10	11	3	17	15	9	22	18	11	15	5	<b>132</b>
Transferred from HUD**							2	7	6	4	3	2	<b>21</b>
Public Accommodation	3	0	6	2	10	6	8	8	6	5	10	12	<b>66</b>
Credit	0	0	0	0	1	0	0	0	0	0	0	0	<b>1</b>
Education	2	2	4	0	3	2	1	2	3	1	3	3	<b>23</b>

\*EEOC sends cases to ICRC pursuant of the Deferral Program. These transfers are included in the total # of EEOC complaints formalized.

\*\*Reflects cases retrieved from Teapots. These transfers are included in the total # of HUD complaints formalized.

# Inquiries by Region

This section provides a breakdown of the inquiries received by each region.

	Jan 2011	Feb 2011	Mar 2011	Apr 2011	May 2011	June 2011	July 2011	Aug 2011	Sept 2011	Oct 2011	Nov 2011	Dec 2011	Year to Date
Total Number of Inquiries by Region								427	300	338	309	317	1691
Region 1								41	34	48	35	35	193
Region 2								38	33	31	22	27	151
Region 3								29	19	16	17	17	98
Region 4								22	14	5	17	22	80
Region 5								134	94	116	108	109	561
Region 6								28	26	33	30	25	142
Region 7								15	14	22	19	15	85
Region 8								22	17	13	18	17	87
Region 9								19	8	14	15	14	70
Unknown								79	41	40	28	36	224

**Region 1:** Jasper, Lake, LaPorte, Newton, Porter, Pulaski and Starke

**Region 2:** St. Joseph, Elkhart, Marshall, Fulton, Kosciusko, Wabash, Cass and Miami

**Region 3:** LaGrange, Steuben, Noble, Dekalb, Whitley, Allen, Huntington, Wells and Adams

**Region 4:** White, Benton, Warren, Tippecanoe, Carroll, Clinton, Fountain and Montgomery

**Region 5:** Boone, Hamilton, Hendricks, Marion, Hancock, Morgan, Johnson and Shelby

**Region 6:** Howard, Grant, Blackford, Jay, Tipton, Madison, Delaware, Randolph, Henry, Wayne, Rush, Fayette, Union and Franklin

**Region 7:** Vermillion, Parke, Putnam, Vigo, Clay, Owen, Sullivan, Greene and Monroe

**Region 8:** Knox, Daviess, Martin, Lawrence, Gibson, Pike, Dubois, Orange, Crawford, Posey, Vanderburgh, Warrick, Spencer and Perry

**Region 9:** Brown, Bartholomew, Clark, Dearborn, Decatur, Floyd, Franklin, Harrison, Jackson, Jefferson, Jennings, Ohio, Ripley, Scott, Switzerland and Washington

**Unknown:** If the location of the inquiry cannot be identified.

# Investigation

The Investigation section shows the overall age of cases currently being investigated by the agency. Cases over 100 days in Real Estate or 180 days in all other cases could be in the Legal Department pending a decision. (Aged is >100 days in Real Estate and >180 days in all other cases).

	Jan 2011	Feb 2011	Mar 2011	Apr 2011	May 2011	June 2011	July 2011	Aug 2011	Sept 2011	Oct 2011	Nov 2011	Dec 2011	Year to Date
<b>% of Aged Cases by Area</b>													
Employment					34%	40%	22%	14%	11%	18%	20%	21%	<b>22%</b>
Real Estate					0%	0%	7%	0%	0%	0%	0%	2%	<b>1.0%</b>
Public Accommodation					7%	8%	13%	6%	6%	5%	8%	11%	<b>8.0%</b>
Credit					0%	0%	0%	0%	0%	0%	0%	0%	<b>0%</b>
Education					20%	20%	31%	18%	18%	21%	9%	13%	<b>19.0%</b>
<b>Open Cases by Area</b>													
Employment	233	227	230	225	249	256	243	256	289	304	321	346	
Real Estate	38	34	40	34	37	32	39	53	60	63	69	59	
Public Accommodation	34	24	16	18	26	31	27	39	41	44	43	53	
Credit	1	0	0	0	1	1	1	0	0	0	0	0	
Education	25	22	20	19	18	22	22	17	21	22	19	23	

# Closures

The Closure section indicates the number of cases closed and how the case was closed after a complete investigation. NPC = No Probable Cause, CWS = Closed with Settlement (Mediation Agreement), CW = Closed Withdrawal, AD = Administrative Dismissal (Lack of Jurisdiction, Failure to Cooperate/Locate), FO = Final Order.

	Jan 2011	Feb 2011	Mar 2011	Apr 2011	May 2011	June 2011	July 2011	Aug 2011	Sept 2011	Oct 2011	Nov 2011	Dec 2011	Year to Date
<b>Number of Cases Closed</b>	65	48	45	44	27	59	82	82	28	38	60	27	<b>605</b>
Employment	26	27	28	29	18	39	78	57	13	25	37	17	<b>394</b>
Real Estate	12	10	5	11	8	19	3	11	12	10	8	8	<b>117</b>
Public Accommodation	12	7	8	2	2	1	0	7	3	3	10	2	<b>57</b>
Education	14	4	4	2	2	0	1	6	0	0	5	0	<b>38</b>
Credit	1	0	0	0	0	0	0	1	0	0	0	0	<b>2</b>
<b>Type of Closure</b>													
NPC	52	40	41	34	23	36	70	72	17	26	41	20	<b>472</b>
CWS	6	4	0	4	3	7	4	2	3	8	10	4	<b>55</b>
CW	7	0	2	1	1	4	3	5	0	0	3	2	<b>28</b>
AD	0	2	0	2	0	3	0	3	4	1	2	0	<b>17</b>
FO	0	2	2	3	0	9	5	0	2	0	4	1	<b>28</b>

# Legal

The Legal section tracks cases receiving probable/reasonable cause, as well as provides information on active cases being handled by the Legal Department.

	Jan 2011	Feb 2011	Mar 2011	Apr 2011	May 2011	June 2011	July 2011	Aug 2011	Sept 2011	Oct 2011	Nov 2011	Dec 2011	Year to Date
Probable/Reasonable Cause Findings	6	0	6	2	2	3	4	5	3	3	3	1	<b>38</b>
Employment	5	0	2	2	2	1	4	4	0	1	1	1	<b>23</b>
Real Estate	0	0	1	0	0	2	0	1	2	1	2	0	<b>9</b>
Public Accommodation	0	0	2	0	0	0	0	0	0	1	0	0	<b>3</b>
Education	1	0	1	0	0	0	0	0	1	0	0	0	<b>3</b>
Credit	0	0	0	0	0	0	0	0	0	0	0	0	<b>0</b>
Active Cases							38	41	44	46	44	48	
Employment							20	23	24	23	18	22	
Real Estate							8	8	11	11	14	15	
Public Accommodation							4	4	4	5	5	5	
Education							6	6	7	7	7	6	
Credit							0	0	0	0	0	0	
Average Age of Cases since NOF*													

\*NOF (Notice of Finding). This includes cases that are now pending in state court.

## Probable Cause Findings for the current month

This section provides detailed information on probable cause findings.

**Syed Ather v. Indiana University Health** is an employment case based on national origin and religion. Complainant alleged that Respondent terminated him because he violated a workplace policy.

## Final Orders

This section provides information on cases that receive Final Orders by The Commission.

**Fitzpatrick v. Faros Inc. d/b/a Lighthouse Restaurant** is an employment case based on race. The complaint was closed with settlement.

**Snowden v. Reid** is a housing case based on disability. The complaint was closed with settlement.

## Legal Updates

This section provides information on legal news, passing or changes in law and other state and local laws affecting The Commission.

### Articles of Interest:

[Ex-student at central Indiana high school agrees to \\$150,000 settlement of bullying lawsuit](#)- December 7, 2011

There has been a lot in the news recently about bullying. Historically human and civil rights agencies are involved with this issue..

[NAACP: New laws assault minority voting rights](#)- December 6, 2011

Indiana enacted a similar law requiring a photo/Government issued ID in order to vote..

[Rights document to be celebrated](#) –December 5, 2011

International Human Rights Day celebrated annually on December 10..

[City ordinance takes aim at prejudice, bigotry](#)- December 3, 2011

Evansville ordinance now prohibits discrimination on the basis of sexual orientation..

[The civil rights issue we need to talk about](#) (12/14/2011)

The unemployment rate for people with disabilities is slightly over 44 percent. Compare that with the slightly over 8 percent unemployment rate for the total population. Access to employment for those with disabilities is a civil rights issue, and one that could affect anyone at any time.

[Student Groups to Expand King Day Activities Into Weeklong Celebration](#) (12/13/2011)

The Black Student Union at IUPUI in Indianapolis announced their plans to expand King Day activities next month.

[Study: Most states ignore civil rights movement in classroom](#) (12/13/2011)

More than half the states in the country are failing to teach the civil rights movement. Only three states received a grade of an “A” while thirty-five states received a failing grade.

[Perceptions of Discrimination a Black and White Story](#) (12/13/2011)

A study finds that opinions among black and white Americans are miles apart regarding their perceptions of equality and inequality. When asked how much discrimination currently exists in America, 56.4% of black respondents said there was “a lot”. Among Latinos, 26.9% gave that answer. But only 16% of white respondents said they thought “a lot” of discrimination existed in today’s America.

[Educational series addresses sexual harassment](#) (12/12/2011)

Amid recent allegations of sexual harassment from Herman Cain and other high ranking officials, the ICRC promotes education and training in the form of the ***Power of Diversity*** statewide series.

[Civil Rights Office Expands Its Reach Into Schools](#) (12/10/2011)

The office for civil rights in the U.S. Department of Education has opened 74 “compliance reviews” in states, school districts, and higher education institutions since March 2010.

[Group challenges Indiana immigration law in federal court](#) (12/20/2011)

Union Benefica Mexicana, which filed the lawsuit Tuesday in the U.S. District Court in Hammond, says Senate Bill 590 oversteps the federal government’s authority to oversee immigration and violates several constitutional rights, including due process and unreasonable search and seizure.

[Civil rights rep blasts ad pull from ‘All-American Muslim’](#) (12/20/2011)

A member of the U.S. Commission on Civil Rights has entered into the dustup set off in recent days after Lowe's home improvement centers and the Kayak travel website opted to pull advertising from a reality TV show focused on the lives of Muslim Americans.

[Indiana leaders seek sex-trafficking crackdown](#) (12/19/2011)

Indiana political leaders are looking to fast-track sex-trafficking legislation before football fans flood Indianapolis for the Super Bowl.

[Social legislation may kill Indiana jobs](#) (12/18/2011)

"I feel it is important to protect the employee nondiscrimination rights of Hoosiers, especially when they choose to exercise their Second Amendment rights."

[Civil rights groups fighting voter ID law](#) (12/17/2011)

Civil rights groups say the new voter ID laws suppress voter turnout, particularly among minorities, the elderly and the poor. Defenders of the laws say they prevent fraudulent voting. The Mississippi law, passed last month, requires residents to have a government-issued photo when they go to the polls. Seven other states -- Georgia, Indiana, Kansas, South Carolina, Tennessee, Texas and Wisconsin -- also require government-issued photo IDs to vote, according to the National Conference of State Legislatures.

[A measure of justice for discriminatory lending practices](#) (12/26/2011)

The \$335 million settlement to be paid by Bank America for discriminating against minority borrowers is only a small measure of justice.

[EEOC Sues Midwest ISO for Disability Discrimination](#) (12/23/2011)

Midwest ISO, a Carmel, Ind.-based power grid operator for much of the Midwest, unlawfully discriminated against an employee and fired her because of her disability.

[HUD expands services to communicate with the public in 175 languages](#) (12/22/2011)

The HUD language line, a telephone language service pilot that will offer live, one-on-one interpretation services in more than 175 languages.

[Housing Authority employees accuse executive director of sexual harassment](#) (12/21/2011)

Two men, including a top police official, have come forward to say South Bend Housing Authority Executive Director Marva Leonard-Dent sexually harassed them at work.

[Experiencing and Defining Bullying](#) (12/9/2011)

Bullying is a big problem in schools across the country, but are local school administrators doing enough to keep our kids safe? The article involves the reporter interviewing four moms of Fort Wayne community school students, and what they find is very interesting.